

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**AMEERA Q ALI,**

**Defendant.**

**THIS MATTER** is before the Court on initial review of Defendant’s “Emergency Motion for Release from Prison Under the First Step Act According to 28 U.S.C. Section 2241.” [Doc. 62].

Defendant Ameera Q Ali (“Ali”) has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 asking that she be released from prison “on the ground of the institution’s procedural error and denial of due process” and challenging “how the sentence imposed is being carried out, calculated and/or credited for Federal Time Credit[.]” [Doc. 62]. Federal district courts are directed to make a prompt initial review of habeas proceedings. Rule 4, Rules Governing Section 2254 Cases in the United States District Courts.<sup>1</sup> “If it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court, the judge must dismiss the petition[.]” Rule 4.

Here, Ali challenges that BOP's failure to properly assess and/or calculate her "good time FSA credits." [Id. at 4]. However, a petition for a writ of habeas corpus pursuant to § 2241

Case 3:19-cr-00080-RJC-DSC Document 63 Filed 08/15/24 Page 1 of 2

challenging present physical confinement must be filed in the district of confinement. Rumsfeld v. Padilla, 542 U.S. 426, 124 S.Ct. 2711 (2004); United States v. Poole, 531 F.3d 263 (4th Cir.2008); United States v. Johnson, 317 Fed. App'x 336, 337 n. 2 (4th Cir. 2009), citing United States v. Miller, 871 F.2d 488, 490 n. 3 (4th Cir.1989) (“A claim for credit against a sentence attacks the computation and execution of the sentence rather than the sentence itself. Judicial review must be sought under 28 U.S.C. § 2241 in the district of confinement rather than in the sentencing court.”).

Ali is currently incarcerated at the federal correctional facility in Fort Worth, Texas. Ali therefore must file a motion seeking relief pursuant to § 2241 in the United States District Court for the Northern District of Texas. The Court, therefore, will dismiss Ali's petition without prejudice to Ali seeking relief in her district of confinement.

**IT IS THEREFORE ORDERED** that Defendant's “Emergency Motion for Release from Prison Under the First Step Act According to 28 U.S.C. Section 2241” [Doc. 62] is hereby **DISMISSED** without prejudice.

The Clerk is respectfully instructed to update the docket accordingly.

**IT IS SO ORDERED.**

Signed: August 14, 2024



Robert J. Conrad, Jr.  
United States District Judge

